

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

Rodney G. Smith, Executive Director of
Teamsters Union 25 Health Services and
Insurance Plan

V.

Coastal Oil New England, Inc., and
El Paso Merchant-Energy Petroleum Company

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

04-12568-MEL

TO: (Name and address of Defendant)

Coastal Oil New England, Inc.
1001 Louisiana Street
Houston, TX 77002

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Matthew E. Dwyer, Esq.
Dwyer, Duddy and Facklam, P.C.
One Center Plaza, Suite 360
Boston, MA 02108

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



LUMI ANASTAS

CLERK

[Signature]

(By) DEPUTY CLERK

DEC 8 2004
DATE

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| RETURN OF SERVICE | | |
|--|------------------|-------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE | DECEMBER 14, 2004 |
| NAME OF SERVER (PRINT) BARBARA L. BEDUGNIS | TITLE | CONSTABLE |
| Check one box below to indicate appropriate method of service | | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: BY DELIVERING SAID COPIES TOGETHER WITH COPIES OF THE CIVIL ACTION COVER SHEET, TO CT CORPORATION SYSTEM, IT'S RESIDENT AGENT FOR SERVICE OF PROCESS AND GIVING <input checked="" type="checkbox"/> Other (specify): IN HAND TO YVETTE CONCEPCION, IT'S AGENT AND PERSON IN CHARGE OF THE BUSINESS. SAID SERVICE WAS MADE AT 101 FEDERAL STREET, BOSTON, MASSACHUSETTS. SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY. | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL \$15.00 | SERVICES \$25.00 | TOTAL \$40.00 |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>DECEMBER 14, 2004</u> Date</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p><i>Barbara L. Bedugnis</i> Signature of Server</p> <p>BARBARA L. BEDUGNIS, CONSTABLE %ROSCOE, BEDUGNIS & ASSOICATES 15 COURT SQUARE, SUITE 450 BOSTON, MASSACHUSETTS 02108</p> <p>Address of Server</p> </div> <div style="width: 50%; text-align: right;"> <p><i>Yvette Concepcion</i> 101 Federal Street Boston, MA 02108</p> </div> </div> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.